THE HONOUABLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.31609 of 1998

Between:

J.Karunakar Rao. ..
PETITIONER

and

The Superintending Engineer and another.
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RESPONDENTS

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ORDER:

This writ petition is filed seeking Mandamus declaring the action of the respondents in insisting for insurance coverage for the work covered by agreement No.LS/12/AIBP/GVC.IV/98-99, dated 28-04-1998, as illegal and arbitrary.

It is the case of the petitioner that he was allotted with the work of "SRSP-AIBP works – Earth work Excavation and Forming Embankment and construction of structures and lining to DEM.46, 50, 51 and 53 of Kakatiya Canal". He has entered into an agreement on 28-04-1998. In pursuance of the agreement, he has commenced the work. The work executed by the petitioner shall be maintained at his own risk until the work is taken over by the Executive Engineer. Of course, the contractor should obtain insurance at his own cost to cover risks on the work during the period of execution and produce the same to the Executive Engineer concerned before commencement of the work, as per clause-13 of the agreement. The agreement was entered into on 28-04-1998 and the writ petition was filed immediately thereafter.

At the time of admission, an interim order was passed in W.P.M.P.No.38759 of 1998, dated 13-11-1998, directing the respondents not to insist for insurance coverage from the petitioner for releasing the payments in respect of the work, which has been satisfactorily executed already.

In view of the above and in view of the efflux of time, the cause

in the writ petition does not survive.

Therefore, the writ petition is closed. There shall be no order as to costs.

13-07-2006

Prv